

Serial No. 10/644,931

Docket No.: 1349.1271

REMARKS**INTRODUCTION:**

In accordance with the foregoing, claims 1-6, 8-11, and 17-21 have been amended, and new claim 22 has been added. No new matter is being presented, and approval and entry are respectfully requested.

It is noted that a number of claims have been amended to change the recited "one-way speakerphone function" to " one-way speakerphone operation." This amendment does not change the scope or breadth of the claims, but rather emphasizes that the independent claims are not intended to fall under 35 USC § 112, sixth paragraph, as having means-plus-function features.

Accordingly, claims 1-22 are pending and under consideration.

REJECTION UNDER 35 U.S.C. §102:

Claims 1-12 and 15-21 stand rejected under 35 USC § 102(e) as being anticipated by Chang, U.S. Patent No. 6,473,629. This rejection is respectfully traversed.

First, it is noted here that it is unclear in the Office Action how the Office Action is interpreting Chang and at least the on-hook and off-hook claimed features. Accordingly, it is respectfully requested that the Office Action clarify what features of Chang the Examiner is interpreting to correspond to the claimed off-hook and on-hook features.

The Office Action has set forth that Chang discloses differing features of independent claims 1, 3, 6, 17, and 21.

However, it is respectfully submitted that if each relied upon feature is examined more closely it will be more clear that Chang fails to disclose all the claimed features of independent claims 1, 3, 6, 17, and 21.

As only an example, independent claim 6 sets forth:

"A communication apparatus having a one-way speakerphone operation, comprising:
a handset, connected to the communication apparatus by a transmit-receive line, for a two-way communication operation;
a speaker for a one-way speakerphone operation; and
a control device controlling a one-way speakerphone operation of the speaker;
wherein a signal is not transmitted through the speaker until a dialing of the

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communication apparatus has been completed."

Here, independent claim 6 requires the transmission of a signal through the speaker only after a dialing of the communication apparatus has completed.

However, Chang does not discuss any control of an output of any speaker based upon the completion of a dialing of the communication apparatus. Rather, Change sets forth a mobile phone that can operate a one-way communication channel after receipt of a phone call, and after the pressing of a communication start key, i.e., an answer key.

This disclosure of Chang to perform a one-way communication channel is unrelated to whether a dialing of the mobile phone has been completed.

The remaining independent claims similarly set forth a determination of dialing completion of a communication apparatus.

As further examples, independent claim 1 sets forth, at least, "wherein a conversation signal is transmitted through the speaker in response to the handset being off-hook, the one-way speakerphone operation selection key signal being input, and the dialing having being completed," independent claim 3 sets forth, at least, "upon determining that the dialing has been completed, opening a line connected to a speaker of the communication apparatus and performing a one-way speakerphone operation to output a sound through the speaker during the handset conversation," independent claim 17 sets forth, at least, "upon determining that a dialing of the communication apparatus has been completed, opening a line connected to a speaker of the communication apparatus and performing the one-way speakerphone operation to output a sound through the speaker during the handset two-way communication," and independent claim 21 sets forth, at least, "upon determining that a dialing of the communication apparatus has been completed, opening a line connected to a speaker of the communication apparatus and performing the one-way speakerphone operation to output a sound through the speaker during the handset two way communication."

Regarding claims 2, 4-5, 7, and 18-20, the Office Action has indicated that such features are inherent in Chang.

However, "when an examiner relies on inherency, it is incumbent on the examiner to point to the 'page and line' of the prior art which justifies an inherency theory." Ex parte Schriker, 56 USPQ2d 1723 (BdPatApp&Int 2000).

Applicants respectfully request the Examiner particularly point to the particular portions of Chang relied upon for each inherent feature.

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Lastly, new independent claim 22 sets forth:

"a handset, connected to the communication apparatus by a transmit-receive line, to perform a two-way communication operation;

a speaker, separate from the handset, to perform at least a one-way communication operation, while the handset is performing the two-way communication operation, wherein a signal is not transmitted through the speaker in the one-way communication operation until a dialing of the communication apparatus has been completed."

It is respectfully submitted that Chang fails to disclose at least the claimed two-way communication of the headset and the one-way communication of the speaker.

Accordingly, in view of the above, it is respectfully requested that this rejection of claims 1-12 and 15-21 be withdrawn and claims 1-12 and 15-22 be allowed.

Claims 1-12 and 17-20 stand rejected under 35 USC § 102(b) as being anticipated by Arbel, U.S. Patent No. 4,879,745. This rejection is respectfully traversed.

Arbel sets forth a speakerphone with the capability of performing half-duplex communication, with a rapid switching between transmit and receiving operations during a phone conversation.

Here, the Office Action would appear to be interpreting half-duplex as being the same as one-way communication.

Regardless that this interpretation should not be imposed on the breadth of the claims, based on the same interpretation, if Arbel is directed to half-duplex operation then Arbel would fail to disclose at least the claimed two-way communication of the headset and the one-way communication of the speaker set forth in the independent claims. Further, independent claims 17, 21, and 22 further claim the co-operation of the headset two-way communication and the speaker one-way communication, which Arbel similarly fails to disclose.

Similar to above, the Office Action has set forth that features from claims 5, 7, and 18-20 are inherent in Arbel. Applicants respectfully request the Examiner particularly point to the particular portions of Arbel relied upon for each inherent feature.

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REJECTION UNDER 35 U.S.C. §103:

Claims 21 and 13-16 stand rejected under 35 USC § 103(a) as being obvious over Arbel. This rejection is respectfully traversed.

In view of the above, it is respectfully submitted that neither Chang nor Arbel disclose or suggest the claimed features of claims 21 and 13-16.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

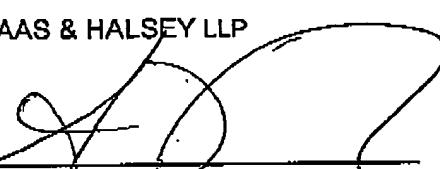
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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I hereby certify that this correspondence is being transmitted via facsimile to: Commissioner for Patents,
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on December 27, 2005

STAAS & HALSEY

By: Robert M. Burns

Date: December 27, 2005